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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/143,233	08/28/98	HARARI	E HARI-0600

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EXAMINER	
HUA,L	
ART UNIT	**PAPER NUMBER**
2785	16

DATE MAILED: 12/20/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

09/143,233

Office Action Summary

Application No.	Applicant(s)	
09/143233		
Examiner	Group Art Unit	
	2788	1

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

☑ Responsive to communication(s) filed on September 30, 1999.

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

☑ Claim(s) 68-74 is/are pending in the application.

Of the above claim(s)_____ is/are withdrawn from consideration.

☐ Claim(s)_____ is/are allowed.

☐ Claim(s) 68-74 is/are rejected.

☐ Claim(s)_____ is/are objected to.

☐ Claim(s)_____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on_____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on_____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number)_____.

☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received:_____.

Attachment(s)

☑ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6 and 15

☐ Interview Summary, PTO-413

☑ Notice of Reference(s) Cited, PTO-892

☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other_____

Office Action Summary

1. The reference listed as "C12" on FORM PTO1449 (Paper No. 15 filed on November 3, 1999) has not been considered as showed by the crossing out of it on the form because it is not in English. If the Applicant wants this reference be considered, then the Examiner request the Applicant to provide an English translation of it.

2. The references listed as "b1," "B3" and "B4" on FORM PTO1449 (Paper No. 6 filed on April 30, 1999) are crossed out because they are listed again on FORM PTO1449 (Paper No. 15 filed on November 3, 1999) as B19, B22 and B21 respectively.

3. The Applicant is notified that no interference has been initiated against patent number 5,668,763 since claims 63-67of the present application has been canceled by the amendment filed on September 30, 1999.

4. The Applicant is notified that the Applicant has not specifically requested for the present application be placed in interference with patent number 5,818,754 in order to raise a ground of unpatentability against the patent's claims.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior arts are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 68-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakada (Japanese Patent Document No. 62-283497.

a. As per claims 68, 71 and 74:

i. Nakada teaches a memory including

(1) a plurality of memory cell blocks [i.e., areas within each of the 127 blocks],

(a) each of said plurality of memory cell blocks comprising:

(i) a plurality of (inherent) word lines;

(ii) a plurality of (inherent) bit lines; and

(iii) a plurality of memory cells,

1) each of said memory cells being (inherently) connected between

I one of said word lines and

II one of said bit lines;

2) wherein said plurality of memory cells are divided into

I a first group of memory cells [i.e., those cells which are in the data memory area used for storing data], ~~wherein said first group of memory cells are memory cells storing 512 bytes~~, and

II a second group of memory cells [i.e., those cells which arein the WCNT area used for storing the counted values],

3) wherein

I said first group of memory cells are provided for storing data [i.e., DATA as shown in Fig. 2] and

II said second group of memory cells are provided for storing attribute data

[i.e., the WCNT as shown in Fig. 2]

of said first group of memory cells.

ii. However, Nakada does not teach that his first group of memory cells are memory cells storing 512 bytes.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to realized that if the size 512 bytes is desired for Nakada's first group, then it would have been obvious to either:

(1) reduce the size of bytes in Nakada's data area to 512 bytes if it is more than 512 bytes, or

(2) increase the size to bytes in Nakada's data area to 512 bytes if it is less than 512 bytes.

iv. The skilled person in the art would have come to this realization in the event that 512-bytes size for a data area is selected.

b. As per claims 69 and 72:

It is conventional that a memory is provided with an erasing circuit to erase contents of all of said plurality of memory cells in response to an erasing signal.

c. As per claims 71 and 73:

In Fig 2, Nakada shows that his first group of memory cells and his second group of memory cells are accessed by a common sector address [i.e., they are in the same row].

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703)305-9724 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

8. The Examiner, hereby, requests that the Applicant would please provide (in additional with a normal response in hard copy) the Examiner an electronic **copy** of Applicant's response to this Office Action by E-mail it to the Examiner's E-mail address Ly.Hua@USPTO.GOV.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Ly Hua whose telephone number is (703) 305-9684. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Robert W. Beausoliel, Jr., can be reached on (703) 305-9713. The fax phone number for this Group is (703) 305-9724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LY V. HUA
PATENT EXAMINER
ART UNIT 2785

L. Hua
December 14, 1999